

**At a Regular Meeting of the Town Council of the Town of Middletown,
RI held at the Middletown Town Hall on Monday, June 2, 2014 at 6:00
P.M.**

Council President Christopher T. Semonelli, Presiding

Vice President Robert J. Sylvia

Councillor Richard P. Adams

Councillor Bruce J. Long

Councillor Paul M. Rodrigues

Councillor M. Theresa Santos

Councillor Barbara A. VonVillas, Members Present

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

There were no reconsiderations.

EXECUTIVE SESSION

1. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (2) Collective Bargaining (IBPO Local 534, IAFF Fire, NEARI Town Hall and Teamsters DPW Unions).

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to recess open session and reconvene in executive session at 6:01 pm.

Councillor Rodrigues was not present.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to recess executive session and reconvene in open

session at 7:10 pm.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to approve the proposed Firefighter FY2015-FY2017 agreement.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to seal the executive session minutes pursuant to Section 42-46-7. RIGL.

Councillor Rodrigues present.

PUBLIC FORUM SESSION

2. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive

Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.

Frederick Baillarger, 46 Harvey Road, noted that he believes the Town is suppressing his first amendment rights.

ADDENDUM TO TOWN COUNCIL AGENDA

POSTED – May 29, 2014

REGULAR MEETING – June 2, 2014

7:00 PM - BUDGET

1. (Continued from Special Meeting, May 28, 2014)

(Public Hearing Advertised)

(Public Hearing Closed)

An Ordinance of the Town of Middletown

An

Ordinance in amendment to the ordinances of the Town of Middletown General Fund, Parks and Recreation Fund, Sewer Fund and Refuse and Recycling Fund Appropriating revenues for the Fiscal Year July 1, 2014 to June 30, 2015, as amended”.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to begin said budget discussion.

Town Administrator Shawn Brown reviewed four different budget scenarios relating to the School Department budget, entered here:

Superintendent Rosemarie Kraeger and School Committee Chair Theresa Spengler were present to respond to Council inquiries.

Discussion centered around impact aid fees, level funding or increasing the allocation to the School, impact on education and extracurricular activities if funding is not increased, technology projects, student transportation, student books, common core standards, classroom supplies, average cost per student for school supplies and Capital Improvement projects.

Anne Coogan, 31 Wintergreen Drive, first grade teacher at Aquidneck School, addressed the Council explaining that she purchases a minimum of \$1,000. in school supplies for students yearly with her own funds.

Glenna Johnson, 71 Wyatt Road, School Speech Pathologist and Parent, addressed the Council explaining that the PTG donated 7 laundry baskets of school supplies to teachers and students this

school year.

Annie Tatarosian, 4 Bartlett Road, addressed the Council, questioning why the School Department is always crucified and other departments receive their requested funding.

Town Administrator Shawn Brown noted that cuts were made to each department budget.

Manuel Mello, Beacon Terrace North, suggested that the School Department utilize their fund balance for the additional \$300,000. the department is requesting from the Council.

Antone Viveiros, 110 Indian Hill Road, noted that everyone wants the best education for our children, explaining that the funding from the state is the biggest issue in communities.

Discussion centered around the difficult budget year, thanking the teachers and administration for all they provide to students, state funding formula, a request to see funding going directly to students in the classroom, sustainability and School Department fund balance.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to appropriate an additional \$297,308. to the Education line item, increasing the School Department from \$24,427,983 to \$24,725,291 and adopt said ordinance as amended.

2. (Continued from Special Meeting, May 28, 2014)

Resolution of the Council, re: Tax Levy Resolution.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to pass said resolution.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to act as a Board of License Commission.

ACTING AS A BOARD OF LICENSE COMMISSION

Town Solicitor Michael W. Miller recused himself from the following item of business #3, due to a possible conflict of interest.

3. Petition of Thomas Ney, President and Vilma Parsonage, Bar Manager, of All-Vets Club, 985 Aquidneck Avenue, re: Request for expansion of Class D Alcoholic Beverage License to provide outdoor service on Sunday, June 8, 2014 for the All-Vets Club annual Viking Riders Blessing of the Bikers.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said petition.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to reconvene as a Town Council.

Vice President Sylvia requested that items #11 and #12 be heard under the regular portion of the docket.

CONSENT

4. Approval of Minutes, Special Meeting, April 28, 2014.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to approve said minutes.

5. Newport County Unified High School Exploratory Committee, re:

Minutes – March 10, 2014.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said minutes.

**6. Newport County Unified High School Exploratory Committee, re:
Minutes – March 24, 2014.**

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said minutes.

**7. Newport County Unified High School Exploratory Committee, re:
Minutes – April 17, 2014.**

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said minutes.

8. Newport County Unified High School Exploratory Committee, re: Minutes – April 29, 2014.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said minutes.

9. (Continued from Regular Meetings, May 5, 2014, May 19, 2014)

Resolution of the Council, re: Commendation for Charles Paul LaMond. (The Administration requests to continue this matter to June 16, 2014, Regular meeting of the Council)

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to continue said resolution to the next regular meeting June 16, 2014.

10. (Continued from Regular Meetings, June 17, 2013, July 15, 2013, October 21, 2013, November 18, 2013, January 27, 2014, February 18, 2014)

Memorandum of Gladys B. Lavine, Chair, Middletown Planning Board, with enclosures, re: Impact Fee Schedule Recommendation. (The Administration requests to continue this matter to September 2, 2014, Regular meeting of the Council)

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to continue this matter to the September 2, 2014 Regular Meeting of the Council.

11. Memorandum of Finance Director, thru Town Administrator, re: Disposal of School Department surplus 2004 Ford Box Truck.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said memorandum.

Manuel Mello, Beacon Terrace North, addressed the Council expressing concern that the 2004 Ford Box Truck will be junked and the truck only has 58,000 miles.

Councillor Rodrigues questioned what the vehicle is worth.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to table items #11 and item #12, at this time.

12. Resolution of the Council, re: Approving disposal of School Department surplus 2004 Ford Box Truck.

13. Resolution of the Town of Warren, re: Requesting support of 2014-H7896 and 2014-S2397, making education the paramount duty of the General Assembly.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said resolution.

14. Resolution of the Town of Charlestown, re: Requesting support of House Bill 7178 and Senate Bill 2314, Prohibiting the Free Distribution of Plastic Bags.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said resolution.

15. Resolution of the City of Newport, re: Requesting support of H7593 and S2034, giving voters the choice of whether to make RI legislators subject to the jurisdiction of the Ethics Commission.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said resolution.

16. Resolution of the Town of Westerly, re: Elimination of the Master Lever.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said resolution.

17. Resolution of the Town of South Kingstown School Committee, re: Requesting to oppose or reject any and all mandatory binding arbitration legislation currently being considered for teacher and other school employee contracts.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said resolution.

18. Application of LHM Restaurant, Inc. dba Newport Beach Hotel &

Suites, 1 Wave Avenue, for RENEWAL of an Amusement License for the 2014-2015 licensing year.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license renewal.

19. Application of Ocean State Jobbers, Inc. dba Ocean State Job Lot of Middletown, 282 East Main Road, for RENEWAL of a Holiday Sales License for the 2014-2105 licensing year.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said license renewal.

20. Application for Special Event Permit from Pulse Newport, Beach Boot Camp at Second Beach and Third Beaches beginning May 2014 through October 25, 2014, Monday through Friday from 5:30 am to 9:30 am and 5:30 pm to 6:30 pm.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event permit.

21. Application for Special Event Permit from NewportFILM, Family Fun & Outdoor Screening at Sweet Berry Farm, 913 Mitchell's Lane on Thursday, June 26, 2014 from 4:00 pm to 10:00 pm.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event permit.

22. Application for Special Event Permit from NewportFILM, Outdoor Film Screening at Norman Bird Sanctuary, 583 Third Beach Road on Thursday, August 28, 2014 from 6:00 pm to 10:00 pm.

On motion of Vice President Sylvia, duly seconded, it was voted

unanimously to grant said Special Event permit.

PERMIT

23. Application for Special Event Permit from Middletown Education Collaborative for Family Beach Party and Duck Race to be held at Third Beach (Boat Ramp) on Thursday, July 10, 2014 (Rain date – Friday, July 11, 2014) beginning at 4:00 pm until 7:00 pm. (Request to waive fee attached)

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to grant said Special Event permit and waive said fee.

TOWN COUNCIL

24. Resolution of the Council, re: Approving submission of Non-Binding Referendum on the November 4, 2014 General Election Ballot.

On motion of Councillor VonVillas, duly seconded, it was voted to pass said resolution; Vice President Sylvia, Councillor Rodrigues and Councillor Santos voted NO to said motion.

25. Resolution of the Council, re: Approving submission of Town Charter Amendment on the November 4, 2014 General Election Ballot.

On motion of Councillor VonVillas, duly seconded, it was voted to pass said resolution; Vice President Sylvia, Councillor Rodrigues and Councillor Santos voted NO to said motion.

26. Memorandum of Council President Semonelli, re: Update on

Second Beach Facility Improvements.

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to receive said memorandum.

Council President Semonelli noted that if a referendum for Beach Facility improvements is to be placed on the November 2014 Election Ballot, a plan would need to be developed quickly.

Councillor Rodrigues noted that before consideration of a Beach Facility Project, facts are needed regarding cost, design and a public hearing should be conducted.

Councillor Adams suggested using cost estimates, a prioritized list and limit the dollar amount for a Beach Facility Project.

Vice President Sylvia noted that there are many unknowns to a facility project, including structural integrity of the existing building.

Discussion centered around if the Beach Advisory Committee would be able to provide information for a facility plan by the next regular Council meeting, schedule for public hearings regarding a beach facility project, cost estimate, complications of rushing a beach facility project and the need to prioritize what is required for a beach facility project.

Antone Viveiros, 110 Indian Hill Road, noted concern that no information regarding the cost for a facility project at the beach has been provided.

27. At the request of Vice President Sylvia, re: Discussion of summer Council schedule.

On motion of Vice President Sylvia, duly seconded, it was voted

unanimously to set the summer schedule as follows:

June 16th, July 7th and August 18th

On motion of Vice President Sylvia, duly seconded, it was voted unanimously to adjourn said meeting at 9:50 pm.

Wendy J.W. Marshall, CMC

Council Clerk

Published by ClerkBase

©2014 by Clerkbases. No Claim to Original Government Works.